

Virginia Agricultural BMP Technical Advisory Committee
Meeting 9:30 AM, February 18, 2016
Approved Summary

Attendance:

Member	Representing	Member	Representing
Emily Horsley	FSA	Tom Turner	CB, SWCD staff
Joe Wood	CBF	Stacy Horton	DCR
Judy Burtner	VASWCD Area I	Pete Farmer	VASWCD Area IV
Robert Bradford	VASWCD Area II (proxy)	Scott Baker	VCE
Chad Wentz	NRCS	Scott Ambler	DCR
Herb Dunford	VASWCD Area III	Charlie Wootton	VACDE
Stephanie Martin	DCR	Mark Hollberg	DCR
Todd Groh	DOF	Amanda Pennington	DCR
Darryl Glover	DCR	Ricky Rash	VASWCD Area V
Jim Wright	VASWCD Area VI (proxy)		

Other Participants: Brandon Dillistin, NNSWCD; Emily Nelson TJWSCD

The draft summary of the January 21, 2016 TAC meeting was reviewed and approved with no changes noted. The approved summary will be posted on the DCR webpage and distributed via all-district e-list.

A summary of discussion topics, action items, and significant conclusions are as follows:

Old Business:

- ◆ USDA NRCS Report:
 - EQIP
 - Over \$32 Million in EQIP requests and over 1450 applications, awards will be competitive
 - ~ \$16 M for EQIP funding; both TA\$ & FA\$ are reduced from last year
 - Batching period ends 2/19/2016; rankings will be completed by 3/18/2016
 - RCPP
 - Nationally over 250 RCPP pre-proposals were received; asked 164 to be advanced for full proposal
 - Secretary of Agriculture announced the RCPP awards on February 12th. 84 partner led projects and over \$720 Million invested;
 - Two RCPP awards for Virginia:
 - **Blue Ridge PRISM Landowner Programs Expansion – State Award = \$894,000**
Lead Partner is the Shenandoah National Park Trust with 11 other partners

The Blue Ridge PRISM project is the first Cooperative Weed Management Area (CWMA) in Virginia to address invasive plants. Since invasive species control is more effective if a large collection of adjacent landowners perform the same treatments, the project area identified ten counties with nearly three million acres to target along the northern Blue Ridge Mountains of Virginia. The Blue Ridge PRISM has designed an innovative grassroots program to organize contiguous landowners into large blocks and coordinate the work area called the Area Stewards Program. Area Stewards are proactive landowners who treat invasive plants on their own properties and enlist their neighbors to do the same in Rockingham, Augusta, Nelson, Albemarle, Green, Madison, Page, Rappahannock, Warren and Clarke Counties.

- **Upper Clinch-Powell Watershed Partnership – National Award = \$4.5 Million**

Lead Partner is The Nature Conservancy – Clinch Valley Program with 16 other partners

Includes both Tennessee and Virginia (Russell, Scott and Lee Counties)

The globally important Upper Clinch-Powell River Watershed, located in the Appalachian Mountains of Virginia and Tennessee, is a leading national hotspot for biodiversity and imperiled species sustaining over 40 varieties of rare mussels and supporting at least 129 native types of fish. Surrounding the rivers is a rural landscape that includes forests, coal mining areas, sensitive caves which are critical to groundwater, working farms, and small Appalachian towns struggling to remain economically viable. To protect and sustain this region, The Nature Conservancy and partners formed the Clinch-Powell Clean Rivers Initiative (CPCRI) to document and address ecosystem stressors including excess sediments and nutrients, metals, dissolved solids, pesticides and persistent organics. This project is designed to improve water quality and aquatic habitat by developing a local working group for resource identification and bmp prioritization, designing a GIS-based ranking system to prioritize RCCP project investments, implementing agricultural and mining BMPs in biologically critical areas, and assessing the positive impacts of these BMPs on water quality.

- ◆ **FSA:** Emily Horsley reported,:

- CP-22 enrollments up throughout the state, in FY14 & FY15 ~500 - 600 acres of CP-22 was enrolled; thus far in FY16 ~2,600 acres enrolled or pending contracts,
- There will be a Riparian Forest Buffer (RFB) Forum in Buckystown, MD focused on how different states are promoting the implementation of RFBs.
- CRP General Signup open until February 26.

- ◆ **Review of NM-5** (versions 14 & 16) most discussion topics are identified below:
 - This practice is too complicated
 - Will farmers utilize it?
 - Timing for implementation may be an issue for some farmers, (harvest comes first)
 - A lot of discussion focused on whether variable rate potassium and lime should be eligible to receive a cost-share payment
 - The VACS has historically held that the application of lime to adjust pH for better production was part of the cost of doing business, lime and potassium are not considered water quality contaminants and therefore not a direct water quality concern
 - Is it economically viable for smaller farms (~400 - 500 acres)?
 - Recent economic analysis says pay back for equipment acquisition is 5 to 7 years; (based upon what assumptions?)
 - Variable rate equipment will reduce overspray, and therefore reduce both cost and amount of N & P applied
 - Many variable rate users in the coastal plain are focusing on adjusting pH with variable lime applications first to better utilize nutrients available; Some farmers may need multiple years to fully adjust their pH to be ready to utilize variable rate N & P
 - NRCS offers precision nutrient management & will pay for variable rate potassium and/or lime, however the EQIP FA funds for this practice is limited and there is a limited number of times you can get paid for the BMP

The TAC conceptually supported recommending that the VSWCB include the NM-5 in FY 2017 VACS, but requested a few changes be made to version 16. Gary will incorporate those requested changes, circulate the revised standard to the TAC distribution list, if any suggested changes are received then the TAC will not recommend inclusion in 2017.

- ◆ **Review of recommended language changes to contract Parts I & III**
 - The TAC supported new language be used in the Contracts Parts I & III during the last meeting; however during the summary comment period Gary received some revisions to the recommended language that he presented to the TAC.
 - **The TAC supported changes to Contract Part I Applicants Request language as follows (suggested changes in red):**
 The following information is applicable to all of the following incentive programs: Virginia Agricultural Best Management Practices (BMP) Cost-Share Program (VACS or cost share program), Virginia Conservation Reserve Enhancement Program (CREP), and/or the Virginia Agricultural BMP Tax Credit Program. I agree to allow appropriate agency personnel or their designee access to land under my control for the purpose of evaluation, design, construction and inspection of said practice(s) from this date forward through the required lifespan. I agree to refund all or part of the cost-share financial assistance or tax credit I have received if my practice(s) is/are found not to meet program specifications required at

the time of installation/payment or if the practice(s) is/are removed or not properly maintained during the life span of the practice(s). I understand that the sale, lease, or changed use of the property will not exempt me from fulfilling this/these requirement(s). I also understand that my period of responsibility begins with the acceptance of payment and/or tax credit and extends, through the lifespan in accordance with program requirements. **Lifespan is defined as “The number of years a BMP must be maintained in accordance with program standards. The lifespan begins on January 1 for the calendar year following the year of certification of completion.** A BMP is subject to spot check throughout the practice lifespan. The voluntary participation in one or more of the state agricultural incentive programs does not relieve or relinquish me and my farm operation from compliance with ordinances, laws and regulations that may exist at any level of government. I understand that applying to participate in any of the above listed program(s) does not guarantee that any or all of my requests will be funded.

- **The TAC supported changes to Contract Part III “Participant Practice Installation Certification” language as follows (suggested changes in red) :**

I certify that the information above is true and correct. I have installed and agree to maintain this/these practice(s) for the lifespan in accordance with ~~state specifications~~ program requirements. I agree to refund all or part of the cost-share financial assistance or tax credit I have received if my practice(s) is/are found not to meet program specifications required at the time of installation/payment or if the practice(s) is/are removed or not properly maintained during the life span of the practice(s). I understand that the sale, lease, or changed use of the property will not exempt me from fulfilling this/these requirement(s). I also understand that my period of responsibility begins with the acceptance of payment and/or tax credit and extends, through the lifespan in accordance with program requirements. **Lifespan is defined as “The number of years a BMP must be maintained in accordance with program standards. The lifespan begins on January 1 for the calendar year following the year of certification of completion. A BMP is subject to spot check throughout the practice lifespan.**

- **The TAC supported changes to Contract Part III “Technical Practice Installation Certification” language as follows (suggested changes in red) :**

I certify that all administrative and technical components of any practice listed above for payment (**add and/or tax credit in two places**) **and/or tax credit** have been completed by an appropriately qualified individual and it has been determined that each practice meets all applicable standards and specifications necessary for certification, payment **and/or tax credit**. All practices are subject to spot check procedures and any other quality control measures.

- **Review of Matrix of TAC Recommendations:**

- Modify EJAA to include insertion of narrative and component engineering table in guidelines

- NM-5 enter supported by TAC & Staff after revisions and review from TAC distributions list
- Add comments about narrative change tied to determining which District will service fields that cross district boundaries
- Changes to contracts Parts I & III, enter supported by staff and TAC
- **Virginia Soil and Water Conservation Board Meeting dates** and proposed considerations
 - **March 17**, Location; TBD, Presentation of proposed spending, changes to VACS Program & BMP manual
 - **April 20**, Location; TBD, Approval of submitted changes, Presentation of policy changes
 - **May 24**, Location; TBD, Final approval of agency policies and procedures
- **New voluntary reporting section and BMP specifications** to be inserted in the 2017 BMP Manual
 - A new tab will designate a voluntary BMP reporting section of the manual
 - 38 new voluntary practices will be included in the section, most will reflect existing cost-shared or tax credit BMPs, without a rates section, to report these practices the producer must sign a Voluntary BMP Assessment form giving his permission to report the BMP and access to his property, none of this is new, just a formalizing of the existing voluntary BMP process and a better definition of voluntary BMPs by writing and publishing the specifications.
 - Two totally new voluntary BMPs:
 - VSE-5 will allow the reporting of livestock exclusion fence based upon functionality, regardless of construction methods or set-back distance.
 - VSL-8D incorporates both the VSL-8B and VSL-8H specifications and allows for a standard planting date for the VSL-8H

◆ **Agency Updates**

- **DOF**
 - February 15 is the start of Virginia's fire season, it ends May 1
 - DOF has hired two Riparian Forest Buffer (RFB) specialist to help NRCS and SWCDs in the Shenandoah Valley
 - DOF will be meeting with CREP RFB planting contractors to train them on new CREP RFB planting requirements
 - Tree seedlings are still available from DOF nursery; 28M pines as well as hardwoods
- **DCR**
 - The General Assembly (GA) is supporting record levels of Technical Assistance and Financial Assistance funding for Ag. BMPs in FY2017;

there are several bills being considered that would increase what was proposed in the Governors budget (~62M). GA budget committee reports on Feb. 22 will indicate how much support is available

- One budget amendment under GA consideration is for two engineer positions to further develop DCR Engineering Program. These positions are needed to reestablish Engineering Job Approval Authority through DCR Engineer.
- GA is considering a budget amendment to have JLARC conduct a study to identify appropriate Phosphorous levels for Virginia's Nutrient Management and Biosolids Programs
- The newly hired Dam Engineer, Mr. Charles Wilson will start on Feb. 25, 2016
- DCR is currently advertising for a new data management position to support Roland Owens work
- DCR plans to advertise for a Conservation Planning and Certification Trainer in April
- DCR & Worldview are working on developing and integrating two new BMP Tracking Program modules to assist with:
 - Agricultural Stewardship Act and
 - Nutrient Management Planning
- The GA is also considering budget language that would enable DCR to develop a new financial database to keep track of all funds in all programs
- District Directors and Staff COIA exception bill has passed both houses of the GA; both bills will go to conference committee to work out differences
- Engineering Workgroup meeting is Feb. 22 at Thomas Jefferson SWCDs office in Charlottesville
- **Virginia Association of Conservation District Employee's (VACDE)**
 - Developing a Conservation Planning Training

Concerns from the Floor: None Identified

Suggested changes for VACS in FY 2018 should be sent to Gary.Moore@DCR.virginia.gov between May 1 and July 31, 2016 to assure the suggestion will receive consideration for inclusion the TAC Program of Work for next year.

Next meeting Thursday August 18, 2016 9:30 AM at the DOF training room